

SOLWODI

Solidarity with
women in distress

Solidarität mit
Frauen in Not

Newsletter

No. 75, March 2008

Dear Friends of SOLWODI,

In my preface to our first circular letter this year I would like to say a few words to the situation in Kenya.

During the last weeks supporters of SOLWODI frequently raised the question, if and how the present political unrest in Kenya could spoil our projects there, that are SOLWODI Kenya and SOLGIDI. Our Kenyan project leaders keep us informed about the situation there. In their last reports they say that in the coastal region near Mombassa, where our 2 projects are working, no violence has been observed so far, which means that our work can go on. However, there is great uncertainty and anxiety and the people live under great tension, since it can't be ruled out, that the violence could also spread over in the Mombassa region.

Also there, ethnic groups could be driven out, that originally come from other parts of the country. Such actions would also affect SOLWODI (K) and SOLGIDI, since the majority of the employees don't belong to the local GIRIAMA tribe. We very much hope, that the present political negotiations will be successful and that the conflict can be settled in a peaceful way. We are praying for the Kenyan people, for our colleagues and especially for those women and children, who come to our 2 projects and who have suffered in their lives already so much from poverty and misery. The violence in Germany which women from abroad are suffering from doesn't end. Young girls, almost still children, become victims of trafficking and they don't find protection in our country, because their emergency situation is not being realized. There are many reasons for that: not enough police staff, prosecuting attorneys and judges, uninformed or insensible civil servants, missing laws or existing laws, which are not being applied properly. That's, why we are limited again and again in our attempt to help. With the example of Katinka we will show you our difficulties.

But for some women and girls we have achieved quite a lot during the last year: for example: A female artist got a contract to work, 2 women were accepted by a hospital free of costs to give births to their babies there and other women got visa and permits to work. The new year started again with a lot of jobs to be done. We very much hope that we can help all those women coming to us, asking for help.



Yours, Sr. Lea

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Charity - Event: 100 years Park Hotel Bad Salzig

"Music, music, music! - We will make music, that it will lift your hat" - and to achieve that, several groups of the 2 state orchestras from Koblenz and Ludwigshof are meeting in the nice and shady park of Bad Salzig. There will be playing: Simply Reed, a saxophone quartet from Koblenz, the Shezan - quintet, playing trumpets, musicians who are famous for playing in the philharmonic Koblenz but also in the chamber music orchestra and there will also be performing the "Schellackorchester"

The patroness of that extraordinary event will be Her Highness The Begum Aga Khan and the money raised at that event will go to the SOLWODI foundation of Sr.

Lea Ackermann. The food being offered at that event will be prepared by the Park Hotel Bad Salzig, which is celebrating with this event its 100 th birthday. The event will be presented by Mrs. Sabine Hampel from the SWR Radio/TV station. This event will take place on Saturday 21. June 2008 at 5 p. m. Tickets for 100.- EUR per person (this includes a 4 course dinner with drinks) can be ordered under Tel. nr. 06742 9393-0



The story of the 15 years old Katinka from Bulgaria

In the beginning of January 2008 the attention of our SOLWODI colleagues was drawn to the fate of the 15 years old Katinka from Bulgaria by the International Organization for Migration (IMO) There were convincing indications, that this girl had become the victim of traffickers here in Germany to be exploited as human workforce.

Katinka had arrived in Germany in May 2007 to work in a restaurant in a small town. The reason for leaving Bulgaria was the hopeless situation of her family in that country. Katinka, the oldest of 7 children (6 girls and 1 boy) had been married in Bulgaria at the age of 13. At the age of 14 she gave birth to her first child. She had never been able to attend a school and she could neither read nor write. Of her sisters and brother only the boy could go to school.

Since her husband was alcohol addicted and violent, she was often badly treated. She left her husband and returned to her parents.

Her family is living in great poverty in Bulgaria. A friend of the family proposed to her to go to Germany for working there. For a wage of 15 EUR per day she should work in a restaurant. In order to support her family, Katinka accepted that offer and with the agreement of her parents she went to Germany. She came to A. in the restaurant and had to work there from 7 o'clock in the morning until late in the night, often

to 4 or half past 4 in the morning. From the money, she expected to earn, she never got anything. She got food and cigarettes, but no money, which she had intended to send to her family in Bulgaria. The landlord was threatening, beating and raping her several times. She was very frightened of him. When the police discovered her in October 2007 and questioned her, she didn't dare to say anything and even made contradictory statements. For that reason the police considered her not to be credible and a case of trafficking for exploiting manpower was not assumed by the police. Even worse, Katinka was sent back to her landlord. In December 2007 she managed to escape. The hostel discovered blue spots all over Katrina's body, proving she had been beaten.

Our SOLWODI colleagues, who had been informed by IOM in the meantime, met Katinka together with an interpreter. Katinka was totally frightened and she was weeping a lot. She was also very

much frightened to be pregnant. Katinka reported, her mother had been threatened on the telephone and someone had offered much money to her mother for Katinka. Katinka only wished to return to her family in Bulgaria, although she was anxious, A. could also come there or do harm to her family. Our SOLWODI colleagues, who considered Katinka as being highly traumatized, contacted the appropriate criminal prosecution authority, to get more information about that case. The reaction of that authority was defensive and not very helpful. They said, the girl had been questioned by the police and additional questioning by a judge would not be necessary. Meanwhile Katinka is back in Bulgaria and whether she will return to Germany for a court trial is uncertain. But without her, acting as a witness, there will be no conviction of the traffickers or the landlord of the restaurant. Therefore, the deportation of an abused woman is always to the advantage of the traffickers or the abusers.

The performance of historical dances for the benefit of SOLWODI

DANZA VOSOLVIA was founded in 1985 in Oberwesel. The group, with members of 5 different nations, is being trained by its Belgian dancing instructor Lieven Baert. In costumes, matching historical costumes, which were produced by the groupmembers themselves, the group performs historical dances of the 15th, 16th and 17th century. Musically they will be accompanied by Judith Biegner and Peter Günther. Under the leadership of Lucie Schuck and Ulla Kruppa, the dancers try to revive history with their historical dance performance in Germany and abroad.



This dancing performance will take place under the motto: "A night in the museum" on Saturday, 7. June 2008 at 8 p.m. in the St. Ägidius-Heim in Bad Salzig / Boppard.

The entrance is free; however donations for SOLWODI will be appreciated.

Comment: A sad example

Rahel Gugel

The case of the 15 years old Katinka shows in a frightening way, with which difficulties German criminal prosecution authorities are confronted with, when they have to handle cases of trafficking. They often don't see the clear indications for trafficking and therefore don't investigate in this direction. In the foreground of their investigations stand therefore the illegal immigration or the illegal stay of the woman concerned here in Germany.

The case of Katinka once more clearly shows, how important it is, to sensitize the civil servants who do the investigation on the subject of trafficking and that this is a criminal offence. According to the statements of the police, the 15 years old Katinka obtained the permit to enter Germany by devious means, that is illegal and with the agreement of her parents.

Such a statement makes the criminal prosecution authorities to concentrate their investigation on illegal immigration but not on trafficking. For the criminal offence of trafficking, thereby aiming to exploit the manpower (§ 233 StGB = criminal offence law) it doesn't really count, whether a person entered Germany voluntarily, legally or illegally in order to work here. What really counts is, whether a person is employed under conditions, which obviously don't compare with the conditions under which other employs are doing the same or an equivalent job (§ 233, subpara 1 StGB). A promised wage of 15 EUR per day, which wasn't paid to the girl, with working hours from early in the morning until late in the night and also threatening the girl, using physical violence and also raping her, this should have

alerted the investigating civil servants. At the moment there is no official list of criteria available in Germany, saying what should be considered as exploitation of manpower; such a list would certainly be helpful for the investigating authorities. The International Working Organization (ILO) has already come up with a list of such indicators. This list contains as such criteria among others: threatening of violence or execution of violence or not paying the promised wage.

The criminal prosecution authorities have in Katrina's case obviously denied the helplessness of that person (according to § 233 StGB) which was associated with her stay in a foreign country. For the investigating civil servants Katinka didn't appear helpless, although Katinka, oldest of 7 children from a very poor area in Bulgaria had never attended a school and was therefore illiterate, she couldn't speak German, appeared with her 15 years still young and childish and when she was discovered, had many blue spots on her body and was weeping frequently. One wonders, what else would have been necessary to convince those investigators.

This sad example shows that the excising cooperation agreements between police and special advice agencies (such as SOLWODI) are either unknown to the personnel of criminal prosecution authorities or those agreements are simply being ignored. The purpose of such agreements is to involve special advice agencies, such as SOLWODI, early in the identification process to determine, whether women are victims of traffickers or not. Experience shows, that women, affected by trafficking, seldom contact themselves the criminal prosecution authorities. The anxiety, they could be prosecuted, or bad experience with corrupt authorities in their home countries, make the most women to hide and to stay quiet. Only an early, professional, psychosocial support by agencies like SOLWODI enhance, in many cases, the preparedness of the women to act as witnesses and at the same time improves the quality of the statements of those women. The sad case of the 15 years old Katinka could have taken a better course, if colleagues of SOLWODI had had a chance to get early in touch with her.

Charity concert in Castle Schleißheim

As in the last year, the singer Mechthild Kiendl and further musicians have offered to stage a concert in

2008 for the benefit of SOLWODI. The concert will take place on 15. June 2008 in the Maximilianskapelle in castle Schleißheim near Munich. Mechthild Kiendl (Soprano), Franziska Nabb (Flute), Ursula Karl (Guitar) and Fatima Vaillancourt (Cello) will be playing romantic love songs of Bach, Bergerettes, Schubert, Baccarin and others. Instead of an entry fee we are asking for a donation for SOLWODI.

Charity concert in Castle Schleißheim, Maximilianskapelle, Max-Emanuel Platz 21, 85764 Oberschleißheim, Sunday 15. June 2008 at 4:30 p. m.

For questions please contact SOLWODI Munich, Tel. 089 - 27370600 or email: muenchen@SOLWODI.de



Mechthild Kiendl

What is sexual exploitation?

Prof. Dr. Joachim Renzikowski

Do you know the film "An immoral offer"? A millionaire (Robert Redfort) offers to a young, poor couple 1 million Dollar for a night with the wife (Demi Moore). Supposed this women would have been under the age of 21, the question arises, whether the millionaire would have committed a crime, according to § 232, subpara. 1 St. GB (German criminal law). This question sounds absurd, but it hints to a so far unsolved problem in the German criminal law, concerning trafficking for the purpose of sexual exploitation. What means sexual exploitation?

The international laws, which led to a reform of the facts to be prosecuted in trafficking, consider trafficking as an offence against human dignity.

Typical for an exploitative relation is that the exploited person is treated as an object but not as a human person. The exploiting person gains an advantage by ignoring the human dignity of his victim, an advantage he could never gain, if he would estimate its dignity. If one accepts this point of view, every hurting of the sexual self-determination becomes a hurting of the human dignity.

But unfortunately this argumentation does not help when interpreting the § 232 StGB. Because the legislator has intentionally excluded such behavior out of the sexual crime law and has instead put it in the crime catalogue concerning personal liberties. By doing so, trafficking for the purpose of exploiting the manpower, was given the same level (§ 233 StGB).

Is practicing sex with somebody therefore a special form of human labour? It is therefore, that in the explanation of the law it says, that a criteria for exploitation is, that it must be economically. When talking about prostitution, that's something one can argue about, but concerning underage victims, this argument is terrible. According to current law, a prostitute is regularly exploited, if she may retain less than 50 % of the money she got. This is, economically seen, unjust. But what is then, according to the legislation, the just price for a child or juvenile victim? One million Dollar?

SOLWODI working Group in the Braunschweig area

On the 24. January 2008, for the first time, 10 highly motivated men and women from Hildesheim, Braunschweig, Helmstedt and Marienthal convened to form a SOLWODI working group. After everybody had presented himself, Sr. Paula Fiebag and Luca Lehmann gave a short presentation about the foundation of SOLWODI, its aims and tasks. In the following discussions a lot of subjects and conflict areas were touched on. The question how to cover those subjects will determine the further activities of that working group. In a further step the group members tried to find out, which areas and tasks the voluntary SOLWODI members could take on. In this brainstorming the following 6 subjects were determined: 1. Accompanying services, 2. the provision of training for women and their children, 3. public relations, 4. activities to improve the own knowledge, 5. lobbying and 6. support for the advice group in Braunschweig. Further volunteers are most welcome to join this group at the next meeting.

For further information please call Luca Lehmann, Tel. 0531 – 4738112.

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Acc.-No. 656565 1000

Sorting Code 570 900 00

BIC GENODE51KOB

IBAN DE68 5709 0000 6565 6510 00

Landesbank Saar, Saarbrücken

Acc.-No. 2000 9999

Sorting Code 590 500 00

BIC SALADE55XXX

IBAN DE84 5905 0000 0020 0099 99

Kreissparkasse Rhein-Hunsrück

Acc.-No. 11 270 00

Sorting Code 560 517 90

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